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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,020

11/03/2003

Yusuke Muraoka

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3707

2352 7590 11/01/2007  
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EXAMINER

TADESSE, YEWEBDAR T

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

11/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/700,020

Applicant(s)

MURAOKA ET AL.

Examiner

Yewebdar T. Tadesse

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17-19, 21-23, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-19, 21-23, 28 and 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 17-19, 21-23 and 28-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 17, line 2, it is unclear what applicants intended to say by claiming that "an alkaline developing unit containing an alkaline developing solution" because as shown in Fig 2 and on page 28 of applicants' specification an alkaline developing solution is contained in the developing solution supplier (120) but not throughout the overall developing unit (10A). For the purpose of examination "an alkaline developing unit having an alkaline solution supplier containing an alkaline developing solution" is assumed.

In claim 17, line 4, it is unclear what applicants intended to say by claiming that "an organic developing unit containing an organic developing solution" because as shown in Fig 2 and on page 28 of applicants' specification an organic developing solution is contained in the developing solution supplier (120) but not throughout the overall developing unit (10B). For the purpose of examination an organic developing unit having an organic solution supplier containing an organic developing solution" is assumed.

Claim 17, line 10, 17, 24, recites the limitation "said plural developing units" in the claim. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "said alkaline developing units and said organic developing unit" is assumed.

Claim 18, line 2, recites the limitation "said plural developing units" in the claim. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "said alkaline developing units and said organic developing unit" is assumed.

Claim 19, line 4, recites the limitation "said plural developing units" in the claim. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "said alkaline developing units and said organic developing unit" is assumed.

In claim 21, line 2, it is unclear what applicants intended to say by claiming that "an alkaline developing unit containing an alkaline developing solution" because as shown in Fig 2 and on page 28 of applicants' specification an alkaline developing solution is contained in the developing solution supplier (120) but not throughout the overall developing unit (10A). For the purpose of examination an alkaline developing unit having an alkaline solution supplier containing an alkaline developing solution" is assumed.

In claim 21, line 4, it is unclear what applicants intended to say by claiming that "an organic developing unit containing an organic developing solution" because as shown in Fig 2 and on page 28 of applicants' specification an organic developing

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solution is contained in the developing solution supplier (120) but not throughout the overall developing unit (10B). For the purpose of examination "an organic developing unit having an organic solution supplier containing an organic developing solution" is assumed.

Claim 21, line 12, 14, 21, recites the limitation "said plural developing units" in the claim. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "said alkaline developing units and said organic developing unit" is assumed.

Claim 28, line 3, recites the limitation "said plural developing units" in the claim. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "said alkaline developing units and said organic developing unit" is assumed.

3. The claim limitations "developing solution supply means" and "rinse liquid supply means" and "replacing solution supply means" (see claims 17 and 21) are being treated under 35 USC 112-6<sup>th</sup> paragraph.

***Allowable Subject Matter***

4. Claims 17-19, 21-23 and 28-29 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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5. The following is a statement of reasons for the indication of allowable subject matter: prior art of record does not disclose or suggest a substrate processing apparatus comprising an alkaline developing unit having an alkaline solution supplier containing an alkaline developing solution and an organic developing unit having an organic solution supplier containing an organic developing solution in combination with developing solution supply means, a high-pressure processing unit, a common transport unit .

***Response to Arguments***

6. The art rejections have been withdrawn, however 112 2<sup>nd</sup> issues have been raised to the amended claims as described above.

For the clarity of claim language (see claims 17 and 21) and/or to clearly distinguish the solution supplier containing the solution from the developing solution or rinse liquid or replacing solution supply means (nozzle or pump), it is recommended to replace “developing supply means for supplying...” with “developing solution supply means for dispensing...” Similarly, the rinse liquid (replacing solution) supply means for supplying ...” be replaced with “the rinse liquid (replacing solution) supply means for dispensing...”

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'YTT' followed by a stylized flourish.

YTT